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2 **UNITED STATES DISTRICT COURT**

3 **DISTRICT OF NEVADA**

4 * * *

5 PASQUAIL BATES, *et al.*,

6 Plaintiff,

7 v.

8 DOLLAR LOAN CENTER, LLC, *et al.*,

9 Defendant.

Case No. 2:13-CV-1731-KJD-CWH

ORDER

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11 Before the Court are Motions for Summary Judgment (##14-17) filed by Defendants
12 Dollar Loan Center, LLC, *et al.* (“Defendants”). Plaintiffs Pasquail Bates *et al.* (“Plaintiffs”)
13 opposed the motions (#33) and Defendants replied (##46-49). However, in addressing these
14 motions, the following substantive motions (not to mention a host of procedural motions) are
15 also necessarily before the Court:

- 16 • #44 Notice of Objections to Plaintiffs’ response (#33)
- 17 • #45 Motion to Strike Plaintiffs’ response (#33)
- 18 • #69 Errata to Plaintiffs’ response (#33)
- 19 • #70 Response to the Notice of Objections and Motion to Strike (##44, 45)
- 20 • #71 Objections to the Errata (#69)
- 21 • #73 Motion for Leave to File Surreply in Support of Plaintiffs’ Response (#33)
- 22 • #74 Reply to the Motion to Strike (#45)
- 23 • #75 Response to the Objection to the Errata (#71)
- 24 • #79 Request for Judicial Notice regarding the underlying motions for summary judgment,
25 a motion for joinder, and a motion to stay discovery
- 26 • #80 Motion for Hearing regarding the Motion to Strike (#45)

- 1 • #81 Response to the Motion for Leave to File Surreply (#73)
- 2 • #82 Reply to the Objections to the Errata (#71)
- 3 • #83 Notice of Supplemental Legal Authority regarding the underlying motions for
- 4 summary judgment
- 5 • #84 Reply to the Motion for Leave to File Surreply (#73)
- 6 • #85 Response to the Request for Judicial Notice (#79)
- 7 • #86 Response to Notice of Supplemental Legal Authority (#83)

8 The underlying motions for summary judgment are buried beneath this tangle of filings.

9 Under Federal Rule of Civil Procedure 11, the parties certify to the Court that 1) the filings
10 are “not being presented for any improper purpose, such as to harass, cause unnecessary delay, or
11 needlessly increase the cost of litigation;” 2) “the claims, defenses, and other legal contentions
12 are warranted by existing law or by a nonfrivolous argument for extending, modifying, or
13 reversing existing law or for establishing new law;” 3) “the factual contentions have evidentiary
14 support or, if specifically so identified, will likely have evidentiary support after a reasonable
15 opportunity for further investigation or discovery;” and 4) “the denials of factual contentions are
16 warranted on the evidence or, if specifically so identified, are reasonably based on belief or a
17 lack of information.” Fed. R. Civ. P. 11(b)

18 Examples of needless filings are abundant on both sides. However, many of the issues
19 presented could easily have been resolved by letter or oral communication rather than through
20 formal pleadings. Such practice would conserve not only the clients’ resources, but the resources
21 of the Court as well. Professional courtesy would seem to demand such behavior.

22 Similarly, when a party makes a filing, professional courtesy, the Rules, and this Court
23 demand that the filing be only what it purports to be. For example, an *errata* is designed to
24 correct clerical or similar minute errors. It is *not* a vehicle for making any substantive additions
25 to a motion, including arguments or affidavits.

26 Sanctions as provided under Rule 11 and within this Court’s inherent authority are available

1 to deal with discourtesy and gamesmanship. The Court will require the very highest level of
2 professional courtesy from all involved for the remainder of this matter. Motions will be
3 complete, concise, and candid.

4 Given the tangled briar produced by the parties' filings to this point, the Court is forced
5 to prune them back. The Court **HEREBY STRIKES** ##14, 15, 16, 17, 27, 28, 33, 44, 45, 46, 47,
6 48, 49, 51, 69, 70, 71, 73, 74, 75, 79, 80, 81, 82, 83, 84, 85, 86. Defendants must file any
7 renewed motion for summary judgment on or before June 11, 2014. Plaintiff's response will be
8 due on or before June 25, 2014. Any reply will be due on or before July 2. This abbreviated
9 timeline is more than generous given the parties' voluminous filings on these matters to date.
10 The parties will distill any merit from the previous filings and present it to the Court concisely
11 and candidly.

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13 DATED this 27th day of May 2014.

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17 Kent J. Dawson
18 United States District Judge
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